



## ***Land Use and Zoning Meeting Minutes***

*June 21, 2012*

STAFF:	David Radachy
DATE:	June 25, 2012
APPROVED BY:	<i>ju3</i>

The Land Use and Zoning Committee hereby finds and determines that all formal actions were taken in an open meeting and that all deliberations of the Land Use and Zoning Committee, which resulted in formal action, were taken in a meeting open to the general public, in full compliance with applicable legal requirements of Section 121.22 of the Ohio Revised Code.

The meeting was called to order at 7:00 p.m. by Chairman Welch.

Attendance was taken by sign-in sheet. The following members were present: Messrs. Constantine, Hanford, Kenyon, Morse, Terriaco and Welch, and Mmes. Diak and Ross. Staff: David Radachy.

Mr. Welch asked for any comments from the public. No comments were made.

Mr. Welch asked Mr. Radachy to present the cases. There was one case on the agenda.

Staff stated that Concord Township was adding language regarding the expiration of zoning permits for phased developments in Section 11.04 C and they were clarifying the allowances for temporary removable structures in Section 11.10.

Staff was concerned that "development", "development done in stages", and "temporary removable structures" were not defined in Section 2, Definitions. They suggested that the Township define development as "a large group of buildings constructed as a unified project". The projects may be single-family or multi-family dwellings, retail centers or office complexes. These developments may have a similar design that unifies them. They also suggested that development done in stages be called "Multi-phase Development" and defined as "a development that is constructed in increments, each increment being capable of existing independently of the others". Staff did not have a definition for temporary removable structures.

The committee asked why staff did not have a definition for temporary removable structures. Staff stated that he felt that the Township knew what these items were and staff did not and they did not want to try to guess what the Township had in mind.

Staff noted that the revision to Section 11.10 uses temporary structures instead of temporary removable structures, which is used in the beginning part of the paragraph. Staff also noted that the revision to Section 11.10 used the term "property". It was noted that property is not defined in Section 2, Definitions, but site is defined.

Staff also stated that there are only choices for applicants, to do the project as a single phase or complete the project as a multi-phase. There is no indication of what the applicant needs to do if he wants to convert a single-phase project into a multi-phased project.

Staff recommend approval with the following suggestions:

11.04 C.

The completion date of each phase of a ~~development done in stages~~ **multi-phased development** shall be stated on the application for a zoning permit when the application is made. The completion date shall be the expiration date of the zoning permit for said stage or phase. No completion date for all phases of **multi**-phased development shall be more than five (5) years from the date of which the original zoning permit was issued.

**11.04 D**

***If the project is started as a single-phased project and the applicant wishes to convert to multi-phased development, they will be required to apply for a new zoning permit and adhere to the requirements in Section 11.04 C.***

11.10

A zoning permit shall not be required for a temporary removable structure as part of a construction project, nor for the construction of roads, sewers, service lines, pipe lines, or driveways. For the purpose of this provision, such temporary **removable** structures shall be located on the same lot or ~~property~~ **site** that is under construction **or adjacent to the site and under the same ownership** or shall be contiguous to a road, sewer or other utility under construction.

Add definitions of multi-phased development, development and temporary removable structures to Section 2.

The committee noted that there were no setbacks on the temporary removable structures. They felt that these items could block views or cause a nuisance by smoke, odors or noise. Staff stated that setbacks would have to be noted in Section 22. The committee also asked how enforceable something was that does not require a zoning permit. Staff stated that it is as enforceable as everything else in the code.

Mr. Kenyon made a motion recommending approval with staff recommendations and with the addition of setbacks added for temporary removable structures.

Mr. Hanford seconded the motion.

All voted "Aye".

Motion passed.

Mr. Welch asked for any new business. Staff stated that a change was made to the committee's organization and procedures that allows the secretary of the committee and the secretary of the commission to cancel a meeting if the business is deemed to be too light. The committee was happy with that change.

The committee reviewed other parts of the organization and procedures and was confused of the section of re-appointments. They asked that it be clarified.

Mr. Welch asked for any old business. There was none.

There was no public comment.

The meeting adjourned at 7:10 PM.